THE HON'BLE SRI JUSTICE ELIPE DHARMA RAO

WRIT PETITION No.16440 of 2005

Between:

M/s.Koratla Builders Ltd.,

.. Petitioners

and

Government of A.P., and others

.. Respondents

THE HON'BLE SRI JUSTICE ELIPE DHARMA RAO

WRIT PETITION No.16440 of 2005

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O R D E R:

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This writ petition is filed to declare the action of the respondents in not passing appropriate orders on the application submitted by the petitioner in February, 2005 for regularization of its possession of the land admeasuring 954 Sq.yards, bearing H.Nos. 10-1-20 and 10-1-20/1 in T.S.No.35 and 37, Ward No.37, Block-G, Mallepally village, Asifnagar Mandal, Hyderabad, as illegal and arbitrary.

The case of the petitioner is that it is the owner and possessor of the above said

land. The petitioner submitted an application to grant permission for construction of 25 residential flats and the Municipal Corporation of Hyderabad granted permission on 26.06.1996 and accordingly it constructed the building. While so, the Government filed L.G.C.No.58 of 1998 in the Special Court established under the A.P. Land Grabbing (Prohibition) Act, Hyderabad against the petitioner, which was allowed on 06.08.2004. Aggrieved by the same, the petitioner filed W.P.No.17973 of 2004 before this Court and obtained status quo order pending disposal of the writ petition. It is further stated that as the residential flats were constructed without any objection and in order to protect the interest of the purchasers, the petitioner submitted an application in February 2005, to the Government for regularization. The Government in Memo No.14656/Assn.III (2)/2005, dated 15-04-2005 forwarded the representation to the Collector, Hyderabad for a detailed report. But, the Collector did not submit his report to the Government. Hence, this writ petition seeking necessary directions in this regard.

Heard the learned counsel for the petitioner and the learned Government Pleader appearing for the respondents.

When the matter has been taken up for admission, it is brought to the notice of this Court that the application filed by the petitioner is kept pending with the Government awaiting the report of the Collector.

In view of the same, without expressing any opinion on merits, I deem it appropriate to dispose of the writ petition with a direction to the respondents to consider the application submitted by the petitioner in February, 2005 and pass appropriate orders in accordance with law, within a period of twelve (12) weeks from the date of receipt of a copy of this order.

With the above direction, the writ petition is disposed of at the stage of admission. There shall be no order as to costs.

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02.08.2005

kdl